



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.01.2020**

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.26958 of 2019

and

W.M.P(MD)No.23309 of 2019

Chettinad Cements Corporation Pvt. Ltd.,
(through its Company Secretary S.Hariharan),
Now, rep. by its Power Agent
J.Alan Isaac Devadas

... Petitioner

Vs.

1.The Chief Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Madurai - 625 007.

2.The Superintending Engineer,
TANGEDCO, Madurai Metro
Race Course Road, K.Pudur,
Madurai - 625 007. .

3.The Executive Engineer,
TANGEDCO, Madurai North
Madurai - 625 007.

4.The Assistant Executive Engineer,
TANGEDCO,
Thallakulam, Madurai City,
Madurai - 625 007.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to provide New LT Service Connection forthwith to the petitioner company located at No.10, First Floor - Annex Building, Dr.Thangaraj Salai, Raja Muthiah Mandram, Madurai - 625 020, in terms of the application dated 06.11.2019.

For Petitioner : Mr.Lakshmi Narayanan for
M/s.A.Aishwarya Sandaleena

For Respondents : Mrs.S.Srimathy for
Mr.S.M.S.Johny Basha



ORDER

Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the respondents.

2. The limited scope of the writ petition is for issuance of a Writ of Mandamus, directing the respondents to provide New LT Service Connection forthwith to the petitioner's Company located at No.10, First Floor - Annex Building, Dr.Thangaraj Salai, Raja Muthiah Mandram, Madurai - 625 020, pursuant to the petitioner's application dated 06.11.2019.

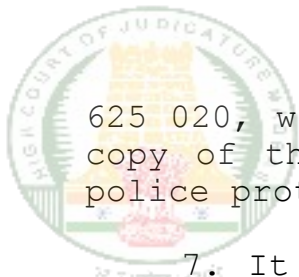
3. According to the petitioner Company, they have made the application through on-line for new service connection. It appears that the petitioner had also executed a deed of indemnity bond dated 06.11.2019 as required by the respondents. Necessary charges are also paid by the petitioner in this regard and e-receipt is also filed to that effect.

4. Be that as it may, earlier also the petitioner Company, which is said to be the tenant of the premises had gone before the Rent Control Authority and filed R.C.No.1 of 2019 seeking direction to the authorities to restore the electricity service connection to the petitioner's Company. An interim order was passed on 17.07.2019 directing the respondents therein to restore electricity service connection as the petitioner Company has made out a *prima facie* case.

5. Upon notice, the owner of the premises had filed a vacate stay petition. Finally, an order dated 10.10.2019 was passed in R.C.No.01 of 2019 by the Revenue Divisional Officer. Relevant portion of the said order reads as follows:

"The Tahsildar, Madurai North is directed to seek the assistance of the Assistant Engineer, TANGEDCO, Tamukkam to ensure compliance of this order and submit his report in seven days time positively and in case the connection was restored by the respondents after seven days from the date of receipt of a copy of this order, the Tahsildar, Madurai North with the assistance of the Assistant Engineer to ensure re-connection and claim the expenses from the respondents and submit a report positively."

6. As this order was also not obeyed by the respondents, as stated supra, the petitioner had made an on-line application, which is also said to be in order. Therefore, without going into the merits of the case and deciding the rights of the parties, the respondents are directed to provide New LT Service Connection forthwith to the petitioner company located at No.10, First Floor - Annex Building, Dr.Thangaraj Salai, Raja Muthiah Mandram, Madurai -



625 020, within a period of one week from the date of receipt of a copy of this order. It is also open to the respondents to seek police protection if need be.

7. It is made clear that this order will not stand in the way of deciding the R.C.A., which is said to be filed by the owner of the premises, against the order of the Revenue Divisional Officer. The Rent Control Appellate Authority is to consider the appeal uninfluenced by the order passed by this Court.

With the above direction, the writ petition is disposed of. No Costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pm

To:

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4.The Assistant Executive Engineer,
TANGEDCO, Thallakulam, Madurai City,
Madurai - 625 007.

+1 CC to M/s.A.AISHWARYA SANDALEENA, Advocate (SR-639[F] dated 08/01/2020)

+1 CC to M/s.S.M.S.JOHNNY BASHA, Advocate (SR-700[F] dated 08/01/2020)

W.P (MD) No.26958 of 2019

07.01.2020

JMN (09.01.2020) 3P : 7C

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